

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 22 and 25 were previously canceled. Claims 1-21, 23, 24, and 26-46 are pending. Claims 1, 8, 9, 13, 15, 16, 21 and 24 are amended, and claims 37-46 are added. Claims 1, 13, 21, and 24 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Drawings

The Examiner has objected to the drawings alleging that “the storage indent is indented lower than the coupling arm” as set forth in claim 1, is not shown in the FIGS. In response, the claims have been amended to delete the subject matter that the Examiner alleges was not shown in the FIGS. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 1-20 and 33-36 stand rejected under 35 U.S.C. § 112, first paragraph, the Examiner alleging that “the storage indent is indented lower than the coupling arm” is not enabling. This rejection is respectfully traversed.

In order to overcome this rejection, Applicant has amended the claims to delete the subject matter that the Examiner alleges was not shown in the FIGS.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1-7 and 13-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki (U.S. 4,619,476) in view of Lin (U.S. 2004/0026949 A1);

claims 12, 21-24 and 27-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Lin, and further in view of Bettin et al. (U.S. 6,533,339); and

claims 8-11 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Lin, and further in view of Lemmen (U.S. 6,062, 623).

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 13, 21, and 24

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, each of independent claims 1, 13, 21, and 24 is amended herein to recite a combination of elements directed to a structure of a storage system, including *inter alia*

a peripheral indent that is shallower than said storage indent and formed at a periphery of the opening of the storage indent; and

an opening and closing mechanism disposed in the peripheral indent and on an inner side of an outer peripheral edge of the lid.

In other words, independent claims 1, 13, 21, and 24 have been amended by adding limitations of "a peripheral indent that is shallower than said storage indent and formed at a

periphery of the opening of the storage indent” and “an opening and closing mechanism disposed in the peripheral indent and on an inner side of an outer peripheral edge of the lid”.

The present invention is characterized in that both the latch body and the support section do not protrude from the fender; both the latch body and the support section are disposed outside of the opening; and the support section is completely covered by the lid. By the structure, an appearance of the vehicle is improved, it is easy to take out and put in a baggage to the storage, and it is prevented that rain is entered into the storage through the support section.

Support for the novel features set forth in each of independent claims 1, 13, 21, and 24 can be seen, for example, in FIGS. 2-4, 7-11, 13, and 14.

By contrast, Kawasaki fails to disclose the peripheral indent of independent claims 1, 13, 21 and 24. In addition, the hinge (19, 119) of the Kawasaki is provided outside the lid or on the outer peripheral edge of the lid.

In addition, Lin fails to disclose an “opening and closing mechanism disposed in the peripheral indent” of independent claims 1, 13, 21 and 24. In Lin, the latch body 31 is provided on the opening, and the support section (hinge arm) is provided on the opening (See Fig. 3 of Lin).

Further, Bettin et al. fails to disclose a “peripheral indent” nor an “opening and closing mechanism disposed in the peripheral indent” of independent claims 1, 13, 21 and 24.

The Applicant respectfully submits that none of the cited references disclose the “peripheral indent” or an “opening and closing mechanism disposed in the peripheral indent” of the amended independent claims 1, 13, 21 and 24. Therefore, independent claims 1, 13, 21 and 24 and the claims depending therefrom are allowable.

In addition, none of the cited references disclose the “the fenders being respectively provided for all wheels of the vehicle so as to respectively cover the wheels” and “the storage indent being provided on the inclined plane” of independent claims 21 and 24. The front fender of Bettin et al. cover both right and left front wheels, and the rear fender of Bettin et al. cover both right and left front wheels.

At least for the reasons above, the Applicant respectfully submits that the references cited by the Examiner, including Kawasaki, Lin, and Bettin et al., fail to teach or suggest the combination of elements set forth in each of independent claims 1, 13, 21, and 24.

Therefore, independent claims 1, 13, 21, and 24 are in condition for allowance.

The Examiner will note that dependent claims 8, 9, 15, and 16 have been amended, and dependent claims 37-46 have been added.

Added dependent claims 37-46 set forth additional novel features regarding the support section latch body of the present invention.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery, Reg. No. 28,380

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000


JMS/CTT/ags/lab

#43,368